

Proceedings of the Arizona Game and Fish
Commission License Revocation and Civil
Assessment Hearings
Time Certain – 2:00 p.m.
Friday, April 10, 2015
The Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director's Staff)

Vice Chair Kurt R. Davis
Commissioner Edward "Pat" Madden
Commissioner James R. Ammons
Commissioner James S. Zieler

Director Larry D. Voyles
Deputy Director Ty E. Gray
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Linda Pollock

Chairman Mansell was not present

Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments
for the Illegal Taking and/or Possession of Wildlife

Presenter: Gene Elms, Law Enforcement Branch Chief

Mr. Elms presented the cases below to the Commission. Each of these cases were reviewed and it was determined that all cases met the criteria established in A.R.S. §17-238, §17-245 §17-314, §17-340, §17-362, §17-363 and/or §17-502 for Commission action. The Commission and the respondents were provided with copies of the original court docket and case reports prepared by the officers along with copies of all other pertinent materials in each of these cases. Each of the following individuals was legally noticed for this hearing.

Name	Docket #	Count	Conviction
		Citation A03924	
John W. Pfister	2015-0013	Count A:	Obtain 2013 resident hunting license by fraud
		Citation A03925	
		Count A:	Obtain 2011 resident hunting license by fraud
		Citation A03926	
		Count A:	Obtain 2012 resident hunting license by fraud
Idelfonso A.J. Jimenez	2015-0024	Count A:	Take wildlife during a closed season (Deer)
William J. Harris	2015-0028	Count A:	Possess unlawfully taken wildlife (Elk)
		Count B:	Take wildlife without valid license (Elk)
William J. Harris	2015-0029	Count A:	Possess unlawfully taken wildlife (Deer)
		Count B:	Take wildlife without valid license (Deer)
Thomas L. Greenman Jr.	2015-0030	Count A:	Take big game without valid tag/permit (Turkey decoy)
Samuel Cummings	2015-0031	Count A:	Discharge firearm within ¼ mile of an occupied structure

Todd M. Portz	2015-0032	Count B:	Take wrong sex (Bull Elk)
		Count C:	Possess unlawfully taken wildlife (Bull Elk)
		Count A:	Take wrong sex (Bull Elk)
		Count B:	Possess unlawfully taken Bull Elk
		Count C:	Possess/Transport without evidence of legality
Rick Lee Donovan Jr.	2015-0033	Count A:	Take wrong sex (Bull Elk)
		Count C:	Possession of wildlife in excess of possession limit (Elk)
Lorenzo Gonzalez	2015-0034	Count A:	Take wildlife during a closed season (Antelope)
		Count B:	Take wrong species (Antelope)
		Count C:	Possess/Transport wildlife or parts of wildlife which was unlawfully taken (Antelope)
Juan Carlos Bravo	2015-0035	Count A:	Possess/Transport wildlife or parts of wildlife which was unlawfully taken (Antelope)
Rafael Gonzales Jr.	2015-0036	Count A:	Possess/Transport wildlife or parts of wildlife which was unlawfully taken (Antelope)
Macario Bravo-Martinez	2015-0037	Count A:	Possess/Transport wildlife or parts of wildlife which was unlawfully taken (Antelope)
Scott R. Hughes	2015-0038	Count A:	Obtain 2013 resident license by fraud
		Count B:	Obtain 2014 resident license by fraud
		Count C:	Possess/Transport wildlife or parts of wildlife which was unlawfully taken (Mule Deer)

Roll call was taken and the following were present: John Pfister, Idelfonso Jimenez, William Harris, Thomas Greenman Jr., Rick Donovan Jr., Lorenzo Gonzalez, Juan Bravo, and Macario Bravo-Marintez.

Mr. Elms stated that the civil assessment process is not intended to be punitive, but is a process allowing the Commission to recover financial damages to compensate the State for the loss of any wildlife. Hunter Education requirements are imposed as a remedial measure to increase knowledge and prevent future violations and not as punishment. The Commission was asked to consider and take action on the license revocations and/or civil assessments for the individuals listed above.

Motion: Ammons moved and Madden seconded THAT THE COMMISSION VOTE TO TAKE JURISDICTION IN THESE CASES.

Vote: Unanimous

4-0

Mansell not present

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John W. Pfister

Docket # 2015-0013

Pfister was found guilty by the Hassayampa Justice Court for Citation A03924: Count A: Obtain 2013 resident hunting license by fraud; Citation A03925: Count A: Obtain 2011 resident hunting license by fraud; Citation A03926: Count A: Obtain 2012 resident hunting license by fraud; and sentenced: Ordered to pay restitution of \$1575.00.

Case officer Rigo was present.

Pfister was present and addressed the Commission. He stated that he is a resident of Arizona and has been a homeowner in Arizona since 2001. He has no residence in any other state. He travels a lot but is usually in Arizona for six months at a time. The person who sold him his license gave him a resident license. He mistakenly filed his taxes in another state and paid a fine for it. He accepted responsibility for not reading the law more thoroughly and asked for leniency.

Commissioner Zieler confirmed with Mr. Pfister that he bought nonresident licenses prior to four years ago when he believed he became a resident, and that he has no resident licenses in any other state.

Motion: Ammons moved THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF JOHN W. PFISTER TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Motion failed for lack of second

Motion: Zieler moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF JOHN W. PFISTER TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER UNTIL HE COMPLETES THE HUNTER EDUCATION COURSE, AND PROVIDES PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vice Chairman Davis stated that the Commission usually votes for five years revocation in these types of cases, but he believes this motion is appropriate based on the facts of the case, including that Mr. Pfister has no physical residence in any other state and no resident licenses in any other state.

Vote: Unanimous

4-0

Chairman Mansell not present

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Idelfonso A. Jimenez

Docket # 2015-0024

Jimenez was found guilty by the Bisbee Justice Court for Count A: Take wildlife during a closed season (white-tailed deer); and sentenced: Fined \$275.00.

Jimenez was present and addressed the Commission with an interpreter. He apologized for having to come before the Commission. He was camping when he saw the deer and shot it. He bought his license at Walmart and the regulation book was in English so he didn't understand it. He apologized for his actions and asked for leniency.

The Commission discussed with Mr. Jimenez that there is a lot more to this than just hunting out of season. It was a closed season, it was an archery deer tag, and the .22 rifle he used was not legal for taking big game. A Hunter Education course would help a lot and the Department offers bi-lingual Hunter Education.

Case Officer Fulk was available via video teleconference from Region V and confirmed for Commissioner Madden that Mr. Jimenez had a license, but he did not see a tag.

Motion: Madden moved and Ammons seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF IDELFONSO A. JIMENEZ TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST IDELFONSO A. JIMENEZ TO COLLECT THE AMOUNT OF \$1,500.00 FOR THE LOSS OF ONE (1) WHITE-TAILED DEER; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

4-0

Chairman Mansell not present

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William J. Harris

Docket # 2015-0028

Harris was found guilty by the Payson Regional Justice Court for Count A: Possess unlawfully taken wildlife; Count B: Take wildlife without a valid tag; and sentenced: Fined \$200.00.

The Case Officer was present.

Harris was present and addressed the Commission stating that he made a mistake and asked for leniency. He was in Arizona building a business for more than six months so he bought a resident license. He bought a California license to hunt bear, but never went hunting. He resides in California, but since he had been in Arizona for six months, the Walmart sales person told him he could buy a resident license.

Motion: Madden moved and Zieler seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF WILLIAM J. HARRIS TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST WILLIAM J. HARRIS TO COLLECT THE AMOUNT OF \$8,000.00 FOR THE LOSS OF ONE (1) TROPHY 6X7 BULL ELK; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

4-0

Chairman Mansell not present

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William J. Harris

Docket # 2015-0029

Harris was found guilty by the Payson Regional Justice Court for Count A: Possess unlawfully taken wildlife; Count B: Take wildlife without a valid tag; and sentenced: Fined \$200.00.

The Case Officer was present.

Harris was present, but did not address the Commission on his second violation.

Motion: Ammons moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF WILLIAM J. HARRIS TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF TEN (10) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST WILLIAM J. HARRIS TO COLLECT THE AMOUNT OF \$8,000.00 FOR THE LOSS OF ONE (1) TROPHY 4x4 MULE DEER; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

4-0

Chairman Mansell not present

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Thomas L. Greenman Jr.

Docket # 2015-0030

Greenman was found guilty by the Flagstaff Justice Court for Count A: Take big game without valid tag/permit; and sentenced: Fined \$670.00.

The Case Officer was present.

Greenman was present and addressed the Commission. He accepted responsibility for his actions and apologized.

Motion: Madden moved and Zieler seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF THOMAS L. GREENMAN JR. TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF THREE (3) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous
4-0
Chairman Mansell not present

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Rick L. Donovan
Docket # 2015-0033

Donovan was found guilty by the Flagstaff Justice Court for Count A: Take wrong sex; and Count C: Possession of wildlife in excess of possession limit; and sentenced: Fined \$317.00.

Donovan was present and addressed the Commission. When he shot the little bull, he couldn't see his horns and then he saw another elk, so he shot it. They all had tags and thought they could do buddy hunting. He thought everything was done with at the court and the officer told him his hunting license would not be taken away.

Case Officer Lautzenheiser was present via video teleconference and answered questions for the Commission. He stated that it's true that he told Mr. Donovan that he wouldn't lose his hunting license, but later realized he was not correct in that statement. Initially, Mr. Donovan was not truthful, but was truthful later in the investigation.

Motion: Ammons moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **RICK L. DONOVAN** TO **HUNT, FISH AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **FIVE (5) YEARS**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **RICK L. DONOVAN** TO COLLECT THE AMOUNT OF **\$5,000.00** FOR THE LOSS OF **TWO (2) ELK (ONE SPIKE BULL AND ONE COW ELK)**; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Aye - Madden, Ammons, Zieler
Nay - Davis
Passed 3-1
Chairman Mansell not present

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The cases of Lorenzo Gonzalez, Juan Carlos Bravo, Rafael Gonzales Jr., and Macario Bravo-Martinez are related.

Lorenzo Gonzalez
Docket # 2015-0034

Gonzalez was found guilty by the Round Valley Justice Court for Count A: Take wildlife during a closed season; Count B: Take wrong species; and Count C: Possess/transport wildlife or parts of wildlife which was unlawfully taken; and sentenced: Fined \$2,498.00.

Gonzalez was present and addressed the Commission with an interpreter provided by the Department. He apologized for his actions. At the time, he didn't have the correct knowledge or information. He intended to do everything correctly. He thought the group of animals were white-tailed deer and he took the opportunity to shoot. He realized later that it was not a white-tailed deer, but didn't want to waste the meat so he took it. He didn't know that he should have reported it.

Commissioner Davis discussed with Mr. Gonzalez that the deer was moved by some trees for the purpose of field dressing it where no one could see they had an antelope. Also discussed was that Mr. Gonzalez's tag was for an antlered white-tail deer and the antelope had no antlers.

Case Officer Caps was present via video teleconference and answered questions for the Commission.

Motion: Ammons moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF LORENZO GONZALEZ TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST LORENZO GONZALEZ TO COLLECT THE AMOUNT OF \$1,500.00 FOR THE LOSS OF ONE (1) ANTELOPE DOE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous
4-0
Chairman Mansell not present

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The cases of Lorenzo Gonzalez, Juan Carlos Bravo, Rafael Gonzales Jr., and Macario Bravo-Martinez are related.

Juan Carlos Bravo
Docket # 2015-0035

Bravo was found guilty by the Round Valley Justice Court for Count A: Possess/transport wildlife or parts of wildlife which was unlawfully taken; and sentenced: Fined \$913.10.

Mr. Bravo and Mr. Bravo-Martinez addressed the Commission stating that they were just invited to go that day and that they would get a part of the meat for helping out. They are embarrassed and regret that this happened. One had a shotgun for protection and the other did not have a firearm.

Case Officer Caps was present via video teleconference and answered questions for the Commission. He stated that the group was honest and forthcoming in the investigation.

Motion: Zieler moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF JUAN CARLOS BRAVO TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF ONE (1) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

4-0

Chairman Mansell not present

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The cases of Lorenzo Gonzalez, Juan Carlos Bravo, Rafael Gonzales Jr., and Macario Bravo-Martinez are related.

Rafael Gonzales Jr.

Docket # 2015-0036

Gonzales Jr. was found guilty by the Round Valley Justice Court for Count A: Possess/transport wildlife or parts of wildlife which was unlawfully taken; and sentenced: Fined \$234.30.

Case Officer Caps was present via video teleconference.

Rafael Gonzales Jr. was not present.

Motion: Ammons moved and Zieler seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF RAFAEL GONZALES JR. TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF ONE (1) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF

THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous
4-0
Chairman Mansell not present

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The cases of Lorenzo Gonzalez, Juan Carlos Bravo, Rafael Gonzales Jr., and Macario Bravo-Martinez are related.

Macario Bravo-Martinez
Docket # 2015-0037

Bravo-Martinez was found guilty by the Round Valley Justice Court for Count A: Possess/transport wildlife or parts of wildlife which was unlawfully taken; and sentenced: Fined \$913.10.

Case Officer Caps was present via video teleconference.

Bravo-Martiniz was present and addressed the Commission along with Juan Carlos Bravo.

Motion: Zieler moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF MACARIO BRAVO-MARTINEZ TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF ONE (1) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous
4-0
Chairman Mansell not present

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Samuel L. Cummings

Docket # 2015-0031

Cummings was found guilty by the Williams Justice Court for Count A: Discharge firearm within ¼ mile of a residence or occupied building while hunting; Count B: Take wrong sex; and Count C: Possess unlawfully taken wildlife; and sentenced: Fined \$750.00.

Cummings was not present, but sent a letter to the Department and requested that it be read to the Commission.

Mr. Elms read the letter to the Commission. The letter from Mr. Walton stated that the elk had its head down, so he didn't see the spike; he didn't know about the ¼ mile rule and recognizes that he needs to take a hunter education course; he field dressed the elk because he didn't want the meat to be wasted; he was not initially forthcoming because he wanted to keep the meat; he feels horrible about the whole thing and is glad the meat went to charity.

Case Officer Welton was available via video teleconference from Region II and answered questions for the Commission, confirming that the two spikes were approximately 12 inches and that Mr. Cummings was initially not truthful.

Motion: Madden moved and Ammons seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF SAMUEL L. CUMMINGS TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST SAMUEL L. CUMMINGS TO COLLECT THE AMOUNT OF \$1,500.00 FOR THE LOSS OF ONE (1) SPIKE ELK; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

4-0

Chairman Mansell not present

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Todd M. Portz

Docket # 2015-0032

Portz was found guilty by the Williams Justice Court for Count A: Take wrong sex; Count B: Possess unlawfully taken wildlife; and Count C: Possess/transport without evidence of legality; and sentenced: Fined \$375.00.

Portz was not present, but sent a letter to the Department and requested that it be read to the Commission.

Mr. Elms read the letter to the Commission. The letter from Mr. Portz stated that he accepts full responsibility; his wife encouraged him to hunt with a friend who is an experienced hunter; his friend helped him prepare the paperwork and apply; after this incident he realized that he needs hunter education and is currently taking a hunter education course. He has learned from this experience and will not repeat them again.

Case Officer Welton was available via video teleconference from Region II.

Motion: Ammons moved and Madden seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF TODD M. PORTZ TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST TODD M. PORTZ TO COLLECT THE AMOUNT OF \$1,500.00 FOR THE LOSS OF ONE (1) SPIKE ELK; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

4-0

Chairman Mansell not present

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Scott R. Hughes

Docket # 2015-0038

Hughes was found guilty by the Flagstaff Justice Court for Count A: Obtain 2013 resident license by fraud; Count B: Obtain 2014 resident license by fraud; and Count C: Possess/transport wildlife or parts of wildlife which was unlawfully taken; and sentenced: Fined \$1,260.00.

Hughes was not present.

Motion: Davis moved and Zieler seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF SCOTT R. HUGHES TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF

THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **SCOTT R. HUGHES** TO COLLECT THE AMOUNT OF **\$1,500.00** FOR THE LOSS OF **ONE (1) MULE DEER BUCK;** AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

4-0

Chairman Mansell not present

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These hearings concluded at 3:56 p.m.

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